

**LUMPKIN COUNTY
BOARD OF COMMISSIONERS
AGENDA**

**Dahlonega City Hall
465 Riley Road
Dahlonega, Georgia
February 16, 2006
9:00 A.M.**

I. CALL TO ORDER

Chairman Gooch

II. INVOCATION

III. APPROVAL OF AGENDA

IV. OLD BUSINESS

- Landscape Plan – Mr. Gary Wert, Maxwell Properties Incorporated

V. APPROVAL OF MINUTES

- January 19, 2006 Regular Meeting
- January 30, 2006 5:00 p. m. Called Meeting
- January 30, 2006 6:00 p.m. Called Meeting
- February 8, 2006 Called Meeting

VI. ISSUE LICENSE

- Beer & Wine Alcoholic Beverage License
 - o Rudolf Mettler for Rivers Edge Enterprises, Inc., d/b/a Turners Corner Café
 - o Pauline Clegg for Mountain of Youth LLC d/b/a Pura Vida USA

VII. PRESENTATION

- Head Start Request
by Dawn Clark

VIII. REPORTS

- Department reports are on file in the Board of Commissioners Office
- Elected Officials

IX. RESOLUTIONS

- **2006-11**
A Resolution Amending the Lumpkin County Budget for Fiscal Year 2005

**LUMPKIN COUNTY
BOARD OF COMMISSIONERS
AGENDA**

**Dahlonega City Hall
465 Riley Road
Dahlonega, Georgia
February 16, 2006
9:00 A.M.**

- **2006-12**
A Resolution Amending the Lumpkin County Budget for Fiscal Year 2006
- **2006-13**
A Resolution to Provide for the Alternative Location of the Superior Court of Lumpkin County, Georgia
- **2006-14**
A Resolution to Support Adequate and Reasonable Transportation Infrastructure in North Georgia and to Oppose Construction of Any Proposed Interstate Highway in Lumpkin County, Georgia
- **2006-15**
A Resolution to Amend Lumpkin County Resolution No. 2003-12 Enumerating Certain Powers of the Commissioner to Authorize the Issuance of Citations by Designated County Employees, to Provide for the Prosecution of Violations of County Ordinances Brought Before the Court by Citation and Other Purposes.
- **2006-16**
A Resolution to Adopt Certain Roads in Laurel Forest Subdivision
- **2006-17**
A Resolution to Impose a Moratorium on The Granting of Variances for Non –Conforming Signs.
- **2006-18**
A Resolution to Adopt an Economic Investment Program to Encourage Economic Development in the County and to Designate a Primary Action Agent.
- **2006-19**
A Resolution to Amend the Lumpkin County Civil Service Plan

X. CONTRACTS

- Georgia Department of Natural Resources-Amendment #3 to County Park Walking Trail Grant Agreement
- Development Authority of Lumpkin County and Lumpkin County Water and Sewerage Authority – Intergovernmental Agreement for GA 400 & Hwy. 60 Water/Sewer Project for The Home Depot
- Bill Hansen & Brenda Hansen – Lumpkin County-Wimpy Airport Tie Down #10 Agreement
- Georgia Emergency Management Agency-Office of Homeland Security – 2006 Performance Partnership Agreement
- Mobile Communications of Hall, LLC – Service Agreement Lumpkin County E-911
- E.M.S. Consultants Ltd. – Annual Support Agreement for EMS Billing Software
- ABL Management, Inc. – 2006 Agreement for Provision of Meals for the Lumpkin County Confinement Facility
- Corporate Care
- Classic Cleaners
- Sanborn, LLC – Color Orthophotography and Contour Mapping Project

**LUMPKIN COUNTY
BOARD OF COMMISSIONERS
AGENDA**

**Dahlonega City Hall
465 Riley Road
Dahlonega, Georgia
February 16, 2006
9:00 A.M.**

- Department of Transportation – Resurfacing on Hampmill Road & Mill Creek Church Road
- Department of Transportation – Resurfacing on Burnt Stand Road and Pecks Mill Creek Road

XI. OTHER ITEMS

XII. COMMENTS

- COUNTY MANAGER
- CHAIRMAN
- COMMISSIONERS
- COUNTY ATTORNEY
- PUBLIC

XIII. ANNOUNCEMENTS

Future Board Meetings:

- Board Work Session – City Hall
- Board Meeting – City Hall

Mar. 2, 2006 at 9:00 a.m.

Mar. 16, 2006 at 6:00 p.m.

XIV. ADJOURN

Chairman Gooch

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE
LUMPKIN COUNTY BOARD OF COMMISSIONERS**

February 16, 2006

CALL TO ORDER

Chairman Gooch called the meeting to order at 9:04 a.m. Commissioners present were Stephen Gooch, John Raber, Deborah Hutcheson, Clarence Stowers and Marvin Martin. Commissioner Marvin Martin opened the meeting with prayer. Chairman Gooch requested that everyone stand and asked Commissioner Hutcheson to lead in the pledge of allegiance.

APPROVAL OF AGENDA

Motion

A motion was made by John Raber to approve the agenda as presented. Clarence Stowers seconded the motion. All district commissioners approved. Motion carried.

OLD BUSINESS

Landscape Plan – Mr. Gary Wert, Maxwell Properties Incorporated

Mr. Wert has not yet received the needed permit from the Department of Transportation allowing him to landscape on D.O.T. right-of-way as indicated in the Home Depot Landscape Plan.

Motion

Following discussion a motion was made by John Raber that Mr Wert post a \$20,000.00 bond made payable to the Lumpkin County applicable only if the permit is granted by the Department of Transportation. Clarence Stowers seconded this motion. All district commissioners approved. Motion carried.

APPROVAL OF MINUTES

Motion

Deborah Hutcheson made a motion to approve the minutes as presented for the following meetings:

- *January 19, 2006 Regular Meeting*
- *January 30, 2006 5:00 p. m. Called Meeting*
- *January 30, 2006 6:00 p.m. Called Meeting*
- *February 8, 2006 Called Meeting*

John Raber seconded the motion, which was approved by all district commissioners. Motion carried.

ISSUE LICENSE

Beer & Wine Alcoholic Beverage License

Chairman Gooch announced that a public hearing was held prior to this meeting concerning the issuance of Beer & Wine Alcoholic Beverage Licenses to Rudolf Mettler for Rivers Edge Enterprises, Inc., d/b/a Turners Corner Café and Pauline Clegg for Mountain of Youth LLC d/b/a Pura Vida USA. Chairman Gooch stated that there were no objections voiced at the public hearing.

Motion

John Raber made a motion for the licenses to be granted with Clarence Stowers seconding. All district commissioners approved. Motion carried.

February 16, 2006

Page 2

PRESENTATION

Head Start Request - by Dawn Clark

Ms. Clark requested approval to place a small bronze statue with bronze plaque in front of Head Start Building in honor of a recently deceased former student. Their plan is to raise funds to pay for the statue, plaque, and the cost of placement. Several commissioners expressed concern about opening the door for future memorials. Ms. Clark stated it would be easy to add to the plaque. If Head Start wishes to place a plaque inside the building they must first bring a drawing of the plaque before the Commissioners.

Motion

John Raber made a motion to allow the placement outside of a statue only. Deborah Hutcheson seconded and all District Commissioners approved.

REPORTS

Department reports are on file in the Board of Commissioners Office.

RESOLUTIONS

RESOLUTION 2006-11

A Resolution Amending the Lumpkin County Budget for Fiscal Year 2005

Motion

Marvin Martin made a motion to approve the 2005 Budget amendment as read. Deborah Hutcheson seconded.

Then Allison Martin briefed everyone about this agenda item. An Amendment for the Sheriff's Department was not included and there was concern about singling out that department. Allison pointed out that the Sheriff's Department already is going to be "noted" in audit for numerous other line item issues. She also stated that other departments would also have concerns about specific line items. There was an expression of concern regarding the relationship between Sheriff's Department and other parts of Lumpkin County Government. However, Allison stated that this relationship has much improved in past six weeks.

The Commissions requested a copy of a letter sent by auditors to the Sheriff's Department following a "partial" audit. That letter showed approximately \$200,000 to the good in health insurance. The Chief Deputy explained that other areas used up that surplus. Chairman Gooch made brief comments about the need for all departments to manage their budgets.

When the motion was brought to a vote all district commissioners approved. Motion carried.

RESOLUTION 2006-12

A Resolution Amending the Lumpkin County Budget for Fiscal Year 2006

Motion

Clarence Stowers made a motion to approve the resolution with Deborah Hutcheson seconding. All district commissioners approved the resolution. Motion carried.

RESOLUTION 2006-13

A Resolution to Provide for the Alternative Location of the Superior Court of Lumpkin County, Georgia

Motion

A motion to adopt the resolution was made by John Raber. The motion was seconded by Marvin Martin and approved by all district commissioners. Motion carried.

John Raber pointed out that having the two trials at the same time was a money saving issue because of being able to use the same jury pool.

RESOLUTION 2006-14

A Resolution to Support Adequate and Reasonable Transportation Infrastructure in North Georgia and to Oppose Construction of Any Proposed Interstate Highway in Lumpkin County, Georgia

Motion

A motion to approve was made by Clarence Stowers and Deborah Hutcheson seconded. All district commissioners approved the resolution. Motion carried.

John Raber did want it noted that if the board approved this resolution that a representative from Lumpkin County would have to attend every single meeting throughout the state regarding this highway. Commissioner Raber's contention was that, otherwise, highway officials could choose to ignore the resolution.

RESOLUTION 2006-15

A Resolution to Amend Lumpkin County Resolution No. 2003-12 Enumerating Certain Powers of the Commissioner to Authorize the Issuance of Citations by Designated County Employees, to Provide for the Prosecution of Violations of County Ordinances Brought Before the Court by Citation and Other Purposes.

Motion

Marvin Martin made a motion to approve the resolution. John Raber seconded.

There was discussion about giving quasi-county employees power to issue citations. County Attorney K. C. Horne explained that anytime we authorize a person to issue citations that the county is legally responsible for that person's actions. He further explained that this resolution is designed to permit appointments at the discretion of the County Manager. It does not mean that every person in the stated positions is going to be granted the authority to issue citations.

The resolution was brought to a vote and all district commissioners approved. Motion carried.

RESOLUTION 2006-16

A Resolution to Adopt Certain Roads in Laurel Forest Subdivision

Motion

Clarence Stowers made a motion to approve this resolution. The motion was seconded by John Raber and approved by all district commissioners. Motion carried.

RESOLUTION 2006-17

A Resolution to Impose a Moratorium on The Granting of Variances for Non-Conforming Signs.

Motion

A motion was made by Deborah Hutcheson to approve this resolution. The motion was seconded by Clarence Stowers and approved by all district commissioners. Motion carried.

RESOLUTION 2006-18

A Resolution to Adopt an Economic Investment Program to Encourage Economic Development in the County and to Designate a Primary Action Agent.

February 16, 2006

Page 4

Motion

Clarence Stowers made a motion to approve this resolution. This motion was seconded by Marvin Martin and approved by all district commissioners. Motion carried.

RESOLUTION 2006-19

A Resolution to Amend the Lumpkin County Civil Service Plan

Motion

Deborah Hutcheson made a motion to approve this resolution as read. The motion was seconded by Clarence Stowers and approved by all district commissioners. Motion carried.

The County Attorney pointed out that this is an active measure to prevent fraud. Following clarification that the employee would be required to take five days consecutively.

CONTRACTS

Georgia Department of Natural Resources-Amendment #3 to County Park Walking Trail Grant Agreement

This amendment is to retroactively extend the project period from December 31, 2005 to December 31, 2006 for administrative purposes. The schedule calls for the project to be completed by April 2006.

Motion

John Raber made a motion to approve this contract. Marvin Martin seconded and all district commissioners approved. Motion carried.

Lumpkin County Board of Commissioners and The Development Authority of Lumpkin County and The Lumpkin County Water and Sewerage Authority – Intergovernmental Agreement for GA 400 & Hwy. 60 Water/Sewer Project for The Home Depot

This Intergovernmental Agreement is to provide for the development of a facility for The Home Depot at GA 400 and Hwy.60 in Lumpkin County, Georgia, which will create a substantial number of new employment opportunities for Lumpkin County citizens as well as expand the tax base of the county, and with that requiring the construction of public infrastructure to enable the operation of The Home Depot.

Motion

Marvin Martin made a motion that this contract be accepted. The motion was seconded by John Raber and approved by all district commissioners. Motion carried.

Bill Hansen & Brenda Hansen – Lumpkin County-Wimpy Airport Tie Down #10 Agreement

Agreement for lease of Tie Down #10 at Lumpkin County-Wimpy Airport.

Term: 1/01/2006 to 12/31/2006

Amount: \$15.00 per month

Motion

John Raber made a motion to accept this contract. The motion was seconded by Clarence Stowers and approved by all district commissioners. Motion carried.

Georgia Emergency Management Agency-Office of Homeland Security – 2006 Performance Partnership Agreement

In order to best ensure that state and local governments are fully prepared to help their citizens in times of emergency, the Lumpkin County Government, the Lumpkin County Emergency Management Agency and it's Director agree to meet the requirements specified in the O.C.G.A. § 38-3-27, The Emergency Management Act of 1981, as amended and those rules, regulations and guidelines dictated by the Director of the Office of Homeland Security-Georgia Emergency Management Agency.

February 16, 2006

Page 5

Motion

Marvin Martin made a motion that this contract be accepted. The motion was seconded by John Raber and approved by all district commissioners present. Motion carried.

Mobile Communications of Hall, LLC – Service Agreement Lumpkin County E-911

This is the service agreement for radio equipment in the E-911 Center. They have deleted some obsolete equipment from the contracts, which will save about \$6,000. This \$6,000 can be used to by updated equipment.

Motion

Marvin Martin made a motion to accept this contract. Deborah Hutcheson seconded this motion. All district commissioners approved. Motion carried.

E.M.S. Consultants Ltd. – Annual Support Agreement for EMS Billing Software

Telephone support for EMS Consultants, Ltd. Software operation, billing consulting and technical support. EMS Consultants also agrees to provide software updates needed to accommodate Medicare changes and correct glitches in software, as well as provide enhancements and improvements to the software at such time as deemed necessary by EMS. Consultants, Ltd.

Term: 4/01/2006 to 3/31/2006

Amount: \$1,200.00

Motion

Clarence Stowers made a motion to approve this contract. Deborah Hutcheson seconded the motion and all district commissioners approved. Motion carried.

John Raber made note of the high volume (approximately 2,700) of EMS calls made last year.

ABL Management, Inc. – 2006 Agreement for Provision of Meals for the Lumpkin County Confinement Facility

ABL shall provide meals for the inmates, staff and visitors of the Lumpkin County Confinement Facility. This agreement is for one (1) year, and with the agreement of both parties may be automatically renewed for successive one (1) year terms. The annual increase will be based on the National Consumer Price Index. The Chief Deputy Ed Anderson stated that the expected increase in the cost of the contract had to do with maintenance of kitchen equipment and COLA increases for workers.

Motion

Marvin Martin brought a motion to accept the contract and John Raber seconded. All district commissioners approved. Motion carried.

Corporate Care

Corporate Care will provide Pre-employment Physicals, Drug Screens, and Triage for workers' compensation. The Wellness portion of this contract was dropped since employees did not seem to be taking advantage of it.

Motion

Deborah Hutcheson made a motion to approve this contract. John Raber seconded the motion and all district commissioners approved. Motion carried.

Classic Cleaners

This lease is made and entered into by and between Lumpkin County and Eoun A. Gim doing business as Classic Cleaners. The lease is for the commercial building located at 235 East Main Street, Dahlonega, Georgia.

February 16, 2006

Page 6

Term: 1/01/2006 to 12/31/2006

Amount: \$1,000.00 per month

Motion

Deborah Hutcheson made a motion to approve this contract and Clarence Stowers seconded the motion. All district commissioners approved. Motion carried.

Sanborn, LLC – Color Orthophotography and Contour Mapping Project

Sanborn, LLC shall complete work as specified in the contract documents. The work consists of delivering Color Digital Orthophotography Images, LiDAR first return data, filtered bare earth data, intensity data and Two-Foot Contour Interval Mapping of Lumpkin County and the City of Dahlonega.

Amount: \$149,500.00

Motion

A motion to approve this contract was made by Marvin Martin with John Raber seconding. All district commissioners approved the contract. Motion carried.

Department of Transportation – Resurfacing on Hampmill Road & Mill Creek Church Road

Department of Transportation – Resurfacing on Burnt Stand Road and Pecks Mill Creek Road

Motion

A motion to approve both Department of Transportation contracts was made by Deborah Hutcheson and seconded by Clarence Stowers. All district commissioners approved. Motion carried.

COMMENTS

COUNTY MANAGER

The County Manager Stan Kelley said that he had received a request from Leslie George with Northeast Georgia Waste Management asking for an Arbor Day Proclamation and to plant a tree. Mr. Kelley stated that we will probably not be able schedule it this week. However, Commissioner Martin said it would be possible at 1 PM on February 1st if Ms. George were available.

The County Manager said that he has contacted the Association County Commissioners Georgia (ACCG) about Special Purpose Local Option Sales Tax (SPLOST) Education for the Commissioners. Mr. Kelley said he needs some available dates from Commissioners so that training can be arranged.

CHAIRMAN

Chairman Gooch said that he and Marvin Martin had been to Atlanta twice to meet with Senator Chip Pearson regarding the buffer issue. They sent a letter to Senator Pearson this morning on this issue. Chairman Gooch stated that it looks good because ACCG and GMA will not support the bill but they will not oppose it. Emily Lewy stated that Representative Amos Amerson would support the smaller buffers so long as county makes assurances that water will remain clean. Chairman Gooch said he would like Rep. Amerson to sponsor the bill in the House.

Chairman Gooch mentioned a ribbon cutting will be taking place at Home Depot next week and asked that others keep their calendars open for this ceremony. The Dawsonville Annexation issue did not come up at ACCG Legislative Conference but ACCG is aware of it. Chairman Gooch stated that Dawsonville could not arbitrarily annex because it must come before Superior Court in Lumpkin County. In that event both Lumpkin County Superior Court Judges would recuse themselves.

February 16, 2006

Page 7

COMMISSIONERS

Commissioner Raber reminded everyone of the Chick-Fil-A opening March 30th. He also stated that the Impact Study Group has met several times. The vote in that group was to bring it back to the Board of Commissioners because a Capital Improvement Plan must be approved first. Commissioner Raber now believes it could take up to a year to complete the work of the Impact Study Group. He stated that Ross & Associates also had been in agreement that 90 days had been possible. Commissioner Raber acknowledged and complimented Emily and Gerald Lewy on their work concerning the reservoir and the sign ordinance.

Marvin Martin pointed out that we are still awaiting the written agreement with City regarding the reservoir so that it can be reviewed prior to March 1st.

Deborah Hutcheson expressed concern over the cost of the Capital Improvement Plan. We must know in advance what we want to spend money on and what it will cost before Impact Fees can be approved. John Raber then cautioned that we need a plan because we have to determine how much of an impact fee would actually be available after cost of operations.

PUBLIC COMMENTS

Dale Steernbergen, President of the Chamber of Commerce announced that the chamber would be sponsoring Eggs & Issues 7:30 a.m., Friday, February 17, 2005 at Chestatee Regional Hospital. Mr. Steernbergen said the Chamber of Commerce would be willing to work on raising funds to help with the proposed canoe launch. Chairman Gooch suggested we apply for grant funds to help with this worthwhile project. Mr. Steernbergen said that Dahlonega and Lumpkin County would be on the Heritage Trail to be toured by the Georgia Tourism Conference during the week of March 14th, and suggested it would be good if crews could clean up the roadsides. Mr. Steernbergen also asked if any commissioners would be available March 3rd for a meeting regarding the proposed private horse arena.

ADJOURN

Chairman Gooch asked for a motion to adjourn at 11:16 a.m.

Motion

John Raber made a motion to adjourn. The motion was seconded by Clarence Stowers and approved by all district commissioners present. Motion carried.

3/16/2006

Date

Deborah A. Hutcheson

~~Stephen W. Gooch, Chairman~~ Vice Chair
Lumpkin County Board of Commissioners

Attest:

Ruth A. Bohac

Ruth A. Bohac
Clerk, Lumpkin County